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SERVICE DATE – NOVEMBER 18, 2016

SURFACE TRANSPORTATION BOARD

NOTICE

Docket No. EP 704 (Sub-No. 1)

REVIEW OF COMMODITY, BOXCAR, AND TOFC/COFC EXEMPTIONS

November 18, 2016

NOTICE TO THE PARTIES:

On March 23, 2016, the Board issued, with Commissioner Begeman dissenting, a Notice of Proposed Rulemaking (NPR) seeking public comment on the proposed revocation of the existing class exemptions under 49 C.F.R. Part 1039 for (1) crushed or broken stone or rip rap; (2) hydraulic cement; and (3) coke produced from coal, primary iron or steel products, and iron or steel scrap, wastes or tailings. The NPR, which was published in the Federal Register on March 28, 2015 (81 Fed. Reg. 17,125), included an initial regulatory flexibility analysis under the Regulatory Flexibility Act of 1980, 5 U.S.C. §§ 601-612, regarding the impact, if any, of the proposed rules on small rail carriers.

The parties are hereby notified that on November 17, 2016, the NPR was served on the Chief Counsel for Advocacy, Office of Advocacy, U.S. Small Business Administration.

Scott M. Zimmerman
Acting Director
Office of Proceedings